

the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that S. C. S. B., attached hereto, do pass in lieu thereof.

FAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 94 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 150 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 74 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 183 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 252 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

TWENTY-FOURTH DAY.

Senate Chamber,

Austin, Texas.

Thursday, February 12, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was

called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names

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|--------------------|-----------|
| Bailey. | Parnell. |
| Berkeley. | Parr. |
| Bledsoe. | Pollard. |
| Bowers. | Price. |
| Davis. | Real. |
| Fairchild. | Reid. |
| Floyd. | Russek. |
| Hardin of Erath. | Strong. |
| Hardin of Kaufman. | Stuart. |
| Holbrook. | Triplett. |
| Lewis. | Ward. |
| Moore of Hunt. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |

Absent—Excused.

Miller.

Witt.

Smith.

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Appointment of Page.

The Chair, Lieutenant Governor Miller, authorized the appointment of David McCoy as page for the Senate.

Excused.

Senators Miller, Witt and Smith were, on motion of Senator Woodward, excused until Monday on account of committee work with the Penitentiary Investigation Committee.

The Chair had read a telegram from Hon. Pat O'Keef of Dallas congratulating the Senate on the passage of S. B. No. 252, the amnesty bill.

President Declines Invitation.

The Chair had read a letter from the acting Secretary to the President of the United States advising that the President would not be able to accept the invitation to attend the meeting of the West Texas Chamber of Commerce at Mineral Wells, and conveying the appreciation of the President for the invitation.

Bills and Resolutions.

By Senator Berkeley, by request:

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 3 of Title 118 of the Revised Civil Statutes of

Texas of 1911, relating to the filing of notice of pendency of suit, by adding thereto Article 6840 1-2, so as to provide for the cancellation of such notice of pendency of suit by the court in which the suit action is pending, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Reid:

S. B. No. 288, A bill to be entitled "An Act to provide the inspection and standardization of junior colleges, teachers colleges, colleges and universities of the first class; prescribing fees therefor, providing fees to be paid by teachers securing certificates based on work done in such institutions; repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Fairchild:

S. B. No. 289, A bill to be entitled "An Act to require every insurance company, corporation, inter-insurance exchange, reciprocal, association, Lloyds or other insurer writing workmen's compensation, employers' liability, public liability, teams liability, automobile liability, elevator liability, contractual liability, product liability, sports liability, druggists' liability, physicians' surgeons and dentists' liability, hospital liability, property damage liability, automobile collision, elevator collision, burglary, theft, larceny, robbery, plate glass, bank check, forgery, sprinkler leakage, water damage, fraud, steam boiler, flywheel, engine breakage, electrical machinery, automobile fire, theft and transportation insurance an fidelity, and surety bonds and undertakings in this State, to file with the Commissioner of Insurance its classification of risks and premium rates together with basis rates and schedule and experience or merit-rating plan and any other plan of adjusting rates to individual risks; requiring the approval of the Commissioner of Insurance thereto before the same shall take effect; providing that the same shall take effect without the commissioner's approval if he fails to disapprove within twenty days; providing for the withdrawal of such approval; providing that no insurer shall issue, renew or carry any such insurance or bonds at premium rates which are greater or less than, or different from those approved by the

commissioner; providing for the approval by the commissioner of rating agencies or organization for the uniform and impartial application of approved system of schedule and experience or merit-rating or other plan of adjusting rates to individual risks; providing that adjusted rates arrived at by the application of such system of schedule or merit-making or other plan of adjusting rates to individual risks shall be clearly set forth in the insurance contract or in the endorsement attached thereto; providing what data shall be taken into consideration by the commissioner in approving rates; authorizing and empowering the commissioner to require sworn statements from insurers containing certain statistical data, and requiring the commissioner to prescribe necessary forms for such statements; requiring the commissioner to prescribe a uniform policy for workmen's compensation insurance and prohibiting the use of any other form, but allowing any insurer to use any form of endorsement appropriate to its plan of operation, provided that the same shall first be approved by the commissioner, and providing any contract or agreement not written into the application and policy shall be void, and providing for penalty for violation; providing that no company or association shall be prohibited from writing such insurance on the mutual, reciprocal, inter-insurance exchange or Lloyds plan and, that no stock company or other company or association shall be prohibited from sharing the profits with policy holders, but providing that no dividends to purchasers of policies or bonds shall take effect until approved by the commissioner, and providing that no dividend shall be approved until adequate reserve has been provided; empowering the commissioner to make and enforce reasonable rules and regulations; providing for hearing before the commissioner, and the manner in which same shall be conducted; requiring the State Insurance Commission to deliver to the commissioner all books, files, papers, data, equipment, experience and records of every character in its possession or control relating to the establishment of classifications, schedules and rates for workmen's compensation insurance; authorizing the commissioner to permit rating agencies or organizations to have and use all such data, rec-

ords, and equipment subject to his control and examination; providing that the rates, classifications, policy forms, rules and regulations now in use shall remain in effect until the commissioner shall have approved other or different rates, classifications, policy forms, rules and regulations; providing that no assessment, levy or collection for expenditures in 1925 of the special tax imposed by Section 11, Chapter 182, General Laws of Regular Session of the Thirty-eighth Legislature, shall be made, and revoking and cancelling any assessment of levy for expenditure in 1925, heretofore made; providing a penalty for the violation of the provisions of this Act; providing that if any part of this Act shall be held to be unconstitutional it shall not affect any other part of this Act; repealing all of Chapter 182, Acts of the Regular Session of the Thirty-eighth Legislature enacted in 1923, and Sections 16c and 17 of part III and part of Section 2 of part IV of Chapter 103 of the General Laws of the Regular Session of the Thirty-fifth Legislature, known as the workmen's compensation law, and all other sections or parts of sections of said law and all other laws or parts of laws in conflict herewith or with any provision hereof, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Holbrook:

S. B. No. 290, A bill to be entitled "An Act to amend Section 2, Chapter 185 of the Acts of the Regular Session of the Thirty-eighth Legislature of the State of Texas, pertaining to the business of private banks so as to eliminate the retroactive feature of said Act, and declaring an emergency."

Read first time and referred to Committee on Banking.

By Senators Holbrook and Ward:

S. B. No. 291, A bill to be entitled "An Act making it unlawful for any person to drive or propel any automobile, automobile truck, or other motor driven vehicle upon the track of any railroad, operated by a steam railroad company or the receiver thereof, or operated by an interurban railroad company or the receiver thereof, at the place of the crossing of any public road or streets at grade, without stopping at a distance of not less than twenty feet nor more than fifty feet from the

nearest railroad and looking and listening; providing that the Act shall not apply in certain cases, making it a misdemeanor to violate any of the provisions of the Act, and prescribing punishment therefor; providing that failure to stop, look and listen shall not be negligence per se, but shall be considered with all other facts and circumstances in determining the issue of contributory negligence; providing for the repeal of Section 17 of Chapter 207 of the General Laws of the Regular Session of the Thirty-fifth Legislature as officially published, and for the repeal of so much of Chapter 31 of the officially published General Laws of the First Called Session of the Thirty-fifth Legislature and so much of Chapter 13 of the officially published General Laws of the Third Called Session of the Thirty-fifth Legislature so as to make it a misdemeanor to violate said Section 17 of said Chapter 207 of the General Laws of the Thirty-fifth Legislature and prescribe punishment therefor; authorizing peace officers to make arrests for the violation of the Act committed within their view or presence; providing for the erecting and maintaining of sign boards by system and interurban railroad companies or the receivers thereof at every grade crossing of a public road or street and making them liable for damages for injuries occurring by reason of neglect or refusal to erect and maintain sign boards; repealing Article 6563, Revised Civil Statutes of the State of Texas of 1911, relating to erecting signs at crossings, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Floyd, et al:

S. B. No. 292, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7 of the Revised Statutes of 1911, as amended by Chapter 50 of the Acts of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, by adding thereto Articles 4859a, 4859b, 4859c, 4859d, and 4859e so as to provide that there shall not be more than 2,000 members in any one class or group, and further providing that every local mutual aid association hereafter organized in this State shall first obtain a permit from the Commissioner of Insurance; provid-

ing that such associations shall have a president, and that the officer having charge of the funds of such associations now or hereafter organized shall execute a bond to be approved by the president thereof and payable to him in the sum of not less than \$1,000.00 and \$1.00 for each member in excess of 1,000 members; providing penalties for violations of the provisions of this Act, and declaring an emergency."

Read first time and referred to Committee on Insurance.

By Senator Davis:

S. B. No. 293, A bill to be entitled "An Act to amend Article 648 of Subdivision 2 of Chapter 2, Title 18, of the Revised Civil Statutes of the State of Texas so as to allow the issuance of bonds for the purposes provided in said subdivision of said chapter in counties having in excess of 200,000 inhabitants by the last preceding United States census, in an amount or sum not greater than ten cents on the hundred dollars property valuation of such county so that said article will hereafter read as herein provided in Section 1, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Davis:

S. B. No. 294, A bill to be entitled "An Act amending Article 1903 of the Revised Statutes of the State of Texas of 1911. Title 37, Chapter 8, as amended by Section 1, Chapter 176, page 388 of the General Laws of the State of Texas passed by the Thirty-fifth Legislature at its Regular Session, relating to pleas of privilege, the sufficiency thereof and the procedure thereon so as to provide a definite length of time in which to file controverting affidavits and providing that an appeal shall in all events suspend trial on the merits pending the appeal and adding to said Title 37, Chapter 8, Articles 1903 and 1904, providing for the time for filing transcript and statement of facts on appeal in such cases, and Article 1903b, relating to briefs on such appeals and Article 1903c, providing for advancement of the hearing on such appeals in the Court of Civil Appeals, and providing that the Act shall only apply to cases filed subsequent to time it becomes effective, and repealing all laws in conflict with this Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Fairchild:

S. B. No. 295, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas 1911, providing additional purposes for which corporations may be formed under the laws of Texas."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 296, A bill to be entitled "An Act to authorize the judge of any district court or other court having jurisdiction, to appoint a receiver or receivers of any defunct or disorganized church or congregation and authorizing the management and sale of all such properties, real, personal, mixed and choses in action, and authorizing such court, in such cases where such church or congregation may not in the judgment of such court be reorganized within a reasonable time, to deliver such property or its proceeds to a church or congregation, a governing body or ecclesiastical head, or State missionary society of like faith and order to be expended for the use and benefit of a church, churches, or communion of like faith and order; and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bledsoe:

S. B. No. 297, A bill to be entitled "An Act allowing corporations to issue preferred stock, and also providing that such stock may take preference over common stock theretofore or thereafter issued, and further providing that such preference shall not exist as to common stock issued prior to the passage of this Act without the consent given in writing of the holden of that stock, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Bledsoe:

S. B. No. 298, A bill to be entitled "An Act providing for the employment of teachers who have been engaged ten years in teaching a special subject, without requiring that they have a certificate, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 299, A bill to be entitled "An Act creating and establishing the El Sauz Independent School District in Willacy County, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties, and privileges of Districts incorporated under the General Laws for free school purposes, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Parr:

S. B. No. 300, A bill to be entitled "An Act creating and establishing the Santa Gertrudis Independent School District in Kleberg County, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the General Law for free school purposes, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Wood:

S. B. No. 301, A bill to be entitled "An Act providing for an equal number of men and women on committees of political parties in the State; amending Articles 3107 and 3140 of Revised Civil Statutes of 1911; as amended and repealing Article 3108, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

House Bill No. 2.

The Chair laid before the Senate, on third reading,

H. B. No. 2, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and Weights and Measures Department; conferring all authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board, consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third

Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Banking and Insurance Commissioner, relative to warehouses, upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature, conferring powers and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapters 116 and 126 of the General Laws, Regular Session of the Thirty-sixth Legislature, and such powers and duties as are conferred upon the Commissioner of Markets and Warehouses by Chapter 22, Acts of the Regular Session of the Thirty-seventh Legislature, and Chapter 38, Acts of the Second Called Session of the Thirty-eighth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture; authorizing said Commissioner to rearrange salaries and eliminate duplicating offices or positions, and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 20.

The Chair laid before the Senate, on third reading,

H. B. No. 20, A bill to be entitled "An Act to amend Article 2078 of the Revised Civil Statutes of 1911, to provide for appeals and writs of error from orders granting motion for new trials, and declaring an emergency."

(President Pro Tem Wirtz in the Chair.)

The bill was read third time and passed finally, by the following vote:

Yeas—17.

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| Bailey. | Pollard. |
| Bowers. | Price. |
| Floyd. | Real. |
| Holbrook. | Strong. |
| Lewis. | Stuart. |
| Moore of Cooke. | Triplett. |
| Murphy. | Ward. |
| Parnell. | Woodward. |
| Parr. | |

Nays—9.

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| Berkeley. | Hardin of Kaufman |
| Bledsoe. | Reid. |
| Davis. | Wirtz. |
| Fairchild. | Wood. |
| Hardin of Erath. | |

Absent.

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| Moore of Hunt. | Russek. |
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Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 23.

The Chair laid before the Senate, on third reading,

H. B. No. 23, A bill to be entitled "An Act regulating the lights and lighting and operation of motor vehicles, tractors, trailers, semi-trailers, motorcycles and bicycles in this State; prescribing the lights for such vehicles between the hours of half-hour after sunset and half-hour before sunrise; enacting the necessary penal provisions as to lights for such vehicles and headlight equipment for such vehicles; providing for tests and approval of head-lighting devices and equipment; prescribing penalties for the violation of the provisions of this Act, and declaring an emergency."

The bill was read third time, and Senator Floyd offered the following amendment:

Amend H. B. No. 23 by adding a new section as follows:

"Article 789, Title 13, of the Penal Code of the State of Texas is hereby repealed."

Senator Pollard offered the following substitute for the amendment:

Amend H. B. No. 23 by adding a new section as follows:

"All laws and parts of laws in conflict herewith are hereby repealed."

The substitute for the amendment was adopted, by unanimous consent, and the amendment, as substituted, was adopted, by unanimous consent.

The bill was then passed finally. (Lieutenant Governor Miller in the Chair.)

House Bill No. 130.

The Chair laid before the Senate, on third reading,

H. B. No. 130, A bill to be entitled "An Act to amend Section 1, Chapter 77, General Laws of the Thirty-eighth Legislature, Regular Session,

providing for the omission of Houston County, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—25.

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| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Reid. |
| Davis. | Russek. |
| Fairchild. | Strong. |
| Floyd. | Stuart. |
| Hardin of Erath. | Triplet. |
| Hardin of Kaufman | Ward. |
| Holbrook. | Wirtz. |
| Lewis. | Wood. |
| Moore of Cooke. | Woodward. |
| Parnell. | |

Absent.

| | |
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| Moore of Hunt. | Real. |
| Murphy. | |

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 157.

The Chair laid before the Senate, on third reading,

H. B. No. 157, A bill to be entitled "An Act to repeal Chapter 95, Special Laws, Thirty-eighth Legislature, entitled 'An Act to provide an efficient system of road maintenance in Uushur County,' and declaring an emergency."

The bill was read third time and passed finally.

House Bill No. 159.

The Chair laid before the Senate, on third reading,

H. B. No. 159, A bill to be entitled "An Act adding to and making a part of the Birome Independent School District of Hill County, Texas, certain lands and territory contiguous thereto; conferring upon the board of trustees of the said Birome District the authority and jurisdiction over such lands and territory and the inhabitants thereof as are prescribed in Chapter 22, Special Laws of Texas, passed by the Thirty-third Legislature, Regular Session, creating the Birome Independent District, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—27.

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|-------------------|-----------|
| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 165.

The Chair laid before the Senate, on third reading,

H. B. No 165, A bill to be entitled "An Act creating and incorporating Dixie Independent School District in Lynn County, Texas, etc."

The Bill was read third time and passed finally, by the following vote:

Yeas—27.

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| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 181.

The Chair laid before the Senate, on third reading,

H. B. No. 181, A bill to be entitled "An Act to amend Section 2, Chapter

99 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, entitled an Act to change the boundaries of the Wichita Falls Independent School District in Wichita County, Texas, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—27.

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|-------------------|-----------|
| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 196.

The Chair laid before the Senate, on third reading,

H. B. No. 196, A bill to be entitled "An Act to amend H. B. No. 170, Chapter 22 of the Local and Special Laws passed by the Thirty-eighth Legislature, wherein the Higgins Independent School District was created, containing certain land and premises situated in Lipscomb County, Texas; providing that the trustees of the district continue in office and that the trustees be seven in number; that the maintenance tax and bonds hereafter voted are hereby validated and shall remain in full force and effect; conferring upon said district and its officers all right, power, privilege and duties now conferred and imposed by the General Laws of this State upon independent school districts, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—27.

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|-------------------|-----------|
| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 209.

The Chair laid before the Senate, on third reading,

H. B. No. 209, A bill to be entitled "An Act to create the Letts Common School District No. 10 in Hall County, Texas, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—27.

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|-------------------|-----------|
| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

House Bill No. 214.

The Chair laid before the Senate, on third reading,

H. B. No. 214. A bill to be entitled "An Act creating and incorporating Center Independent School District No. 5, in Hockley County, Texas, etc."

The bill was read third time and passed finally, by the following vote:

Yeas—27.

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|-------------------|-----------|
| Bailey. | Parr. |
| Berkeley. | Pollard. |
| Bledsoe. | Price. |
| Bowers. | Real. |
| Davis. | Reid. |
| Fairchild. | Russek. |
| Floyd. | Strong. |
| Hardin of Erath. | Stuart. |
| Hardin of Kaufman | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Cooke. | Wood. |
| Murphy. | Woodward. |
| Parnell. | |

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

S. C. R. No. 23.

By Senator Parnell:

Whereas, The management of the State University has been the subject of much bitter discussion and personal feelings for the past few years; and

Whereas, The Constitution of the State calls for the creation of a university of the first class; and

Whereas, It is the desire of the people of the State to establish and perpetuate a university that will offer the opportunity for higher learning equal to that offered by other states; and

Whereas, In the past the personal ambition and personal jealousies have too many times entered into the discussion of constructive policies governing the University; now, therefore be it

Resolved by the Senate of Texas, the House concurring, That it looks upon such conditions as have prevailed with reference to the University in the past with great disfavor and regret, and we now call upon all factions to realize the great importance to lay aside personal differences and disputes

and come together in the spirit of concession and desire for harmony in order that the State University can begin to grow and prosper in the way that its founders intended, and that the standard of learning may be raised to one which will cause a feeling of pride to all Texas. To this end the Senate of Texas and the House concurring invite the serious consideration and earnest co-operation of all parties concerned.

The resolution was read and Senator Murphy moved that the same be referred to Committee on State Affairs.

Senator Parnell moved, as a substitute, that the resolution be printed in the Journal, and not be referred, but be laid on the table, subject to call.

Senator Pollard moved to table the substitute motion, which motion to table was adopted by the following vote:

Yeas—13.

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|--------------------|----------|
| Bailey. | Murphy. |
| Berkeley. | Pollard. |
| Fairchild. | Russek. |
| Hardin of Erath. | Strong. |
| Hardin of Kaufman. | Ward. |
| Holbrook. | Wirtz. |
| Moore of Cooke. | |

Nays—13.

| | |
|----------|-----------|
| Bledsoe. | Real. |
| Bowers. | Reid. |
| Davis. | Stuart. |
| Floyd. | Triplett. |
| Lewis. | Wood. |
| Parnell. | Woodward. |
| Parr. | |

Present—Not Voting.

Price.

Absent.

Moore of Hunt.

Absent—Excused.

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| Miller. | Witt. |
| Smith. | |

The vote being a tie, the Chair, Lieutenant Governor Miller, voted "yea" and declared the motion to table adopted.

Action recurred on the motion to refer the resolution to Committee on State Affairs, and Senator Bledsoe moved, as a substitute, that the resolution be referred to Committee on Educational Affairs.

The substitute motion was adopted and the motion, as amended, was adopted. The resolution was then referred to Educational Affairs.

Joint Session.

The Chair here announced that, according to previous arrangements with the House of Representatives, the Senate would now repair to the hall of the House for the purpose of listening to an address by Cora Wilson Stuart.

In the Senate.

On motion of Senator Wood, the Senate, at 12 m., recessed until 2 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

Executive Session.

Senator Strong moved that the Senate go into executive session at 3 o'clock today.

The motion was adopted.

House Bill No. 230.

The Chair laid before the Senate, on second reading,

H. B. No. 230, A bill to be entitled "An Act authorizing the sale to the United States of America of the American Legion Memorial Sanatorium of Texas, owned by the State of Texas and situated near the town of Kerrville, in Kerr county, Texas, including lands, buildings, improvements, equipment and stating the price at which same shall be sold; providing the proper portion of the funds realized from such sale be placed in the State Treasury and making proper disposition of the remainder; authorizing the proper instrument of conveyance to be executed, and declaring an emergency."

The bill was read second time, and The committee report, that the bill be not printed, was adopted.

Senator Murphy offered the following amendment:

Amend H. B. No. 230 by adding a new section as follows:

"The Board of Control of the State of Texas, together with the Governor, shall use the money secured from the United States of America for the purpose of purchasing land and erecting buildings for the care of tubercular patients as under the law now provided."

Senator Hardin of Kaufman offered the following substitute for the amendment:

Amend H. B. No. 230, page 2, line 32, by striking out period after "Texas" and insert a comma, and add the following, "and such money shall constitute a special fund to be used for providing and erecting, as the Legislature may direct, a suitable and lasting memorial to the soldiers of Texas who fell in the World War."

Senator Parnell made the point of order that the amendment and the substitute were not germane to the purposes of the bill.

The Chair overruled the point of order.

After discussion, Senator Real moved to table the amendment and the substitute.

Senator Pollard asked for a division of the question.

The question was made separate and both the amendment and the substitutes were tabled.

The bill was passed to a third reading.

On motion of Senator Real, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 230 put on its third reading and final passage, by the following vote:

Yeas—26.

| | |
|--------------------|-----------|
| Bailey. | Parnell. |
| Berkeley. | Parr. |
| Bledsoe. | Pollard. |
| Bowers. | Price. |
| Davis. | Real. |
| Fairchild. | Reid. |
| Floyd. | Russek. |
| Hardin of Erath. | Strong. |
| Hardin of Kaufman. | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Hunt. | Wood. |
| Moore of Cooke. | Woodward. |

Nays—1.

Murphy.

Absent.

Stuart.

Absent—Excused.

Miller.

Witt.

Smith.

H. B. No. 230 was then read third time and passed finally, by the following vote:

Yeas—26.

| | |
|--------------------|-----------|
| Bailey. | Parnell. |
| Berkeley. | Parr. |
| Bledsoe. | Pollard. |
| Bowers. | Price. |
| Davis. | Real. |
| Fairchild. | Reid. |
| Floyd. | Russek. |
| Hardin of Erath. | Strong. |
| Hardin of Kaufman. | Triplett. |
| Holbrook. | Ward. |
| Lewis. | Wirtz. |
| Moore of Hunt. | Wood. |
| Moore of Cooke. | Woodward. |

Nays—1.

Murphy.

Absent.

Stuart.

Absent—Excused.

Miller.

Witt.

Smith.

House Bill No. 126.

The Chair laid before the Senate, on second reading.

H. B. No. 126, A bill to be entitled "An Act to amend Chapter 1, Title 29, of the Revised Civil Statutes of the State of Texas, 1911, as amended by Chapter 80, General Laws, Regular Session, Thirty-eighth Legislature, relating to the auditing of books, records and accounts of district, county and precinct officers, agents and employes and institutions maintained by the county, and declaring an emergency."

The bill was read second time, and Senator Wood offered the following amendment:

Amend H. B. No. 126, page 2, line 5, by striking out all of line 5 after the period and by striking out all of lines 6, 7 and 8 and inserting in lieu thereof the following:

"The county commissioners' court of every county affected by this Article may have an audit made of all the books of the county, or of any of them, at any time they may desire whether such arrangements can be made with other counties or not, provided the district judge may order said audit if he so desires."

The amendment was read, and Senator Fairchild moved that the bill and amendment be laid on the table subject to call.

The motion was adopted.

House Bill No. 218.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

H. B. No. 218, A bill to be entitled "An Act repealing Chapter 60 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 12 of the General Laws of the First Called Session of the Thirty-fifth Legislature, as amended by Chapter 4 of the General Laws of the Second Called Session of the Thirty-fifth Legislature, as amended by Chapter 64 of the General Laws of the Regular Session of the Thirty-sixth Legislature, as amended by Chapter 27 of the General Laws of the Second Called Session of the Thirty-sixth Legislature, as amended by Chapter 38 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 10 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and an Act to embody in one Act the substance of the provisions of said repealed statutes, with substantially the following limitations and changes, viz: (1) Abolishing the system of compulsory tick eradication and eradication zones, as provided for in said repealed statutes. (2) Providing for the placing under quarantine of all portions of Texas that are at present infested with the fever-carrying tick. (3) Providing for compulsory tick eradication work, at the expense of the State and the several counties as provided for in this Act, etc.

The bill was read second time, and

The committee report, that the bill be not printed, was adopted.

Senator Bowers offered the following amendment:

Amend H. B. No. 218 by striking out all after the enacting clause and substituting the following, the same being Senate Bill No. 201, which was printed in bill form and is not reproduced here.

Executive Session.

At 3 o'clock the Senate went into executive session, the time being fixed for this hour.

In the Senate.**Excused.**

On motion of Senator Berkeley, Senator Stuart was excused for the balance of this week.

H. B. No. 103—Re-committed.

Senator Moore of Cooke moved that H. B. No. 103, having been reported adversely, be recommitted to the Committee on Public Health.

The motion was adopted.

Confirmation Made.

In executive session Hon. Frank B. Lanham was confirmed to be a member of the State Highway Commission, this action being reported to the Journal clerk by the Secretary of the Senate.

House Bill No. 218.

Action here recurred on the pending business, H. B. No. 218, the tick eradication bill, the question being on the pending amendment by Senator Bowers.

Message from the House.

Hall of the House of Representatives, Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. C. R. No. 22, A concurrent resolution "Relating to refund of money lost because of the pink boll worm quarantine."

H. B. No. 91, a bill to be entitled "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expenses of such commissioners and contribution to the support of the National Conference of Commissioners on Uniform State Laws, and declaring an emergency."

S. B. No. 18, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31 of the laws passed at the Regular Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Eighty-third Judicial District so that Section 1 of said Act, as it relates to said Eighty-third Judicial District shall hereafter read as follows, and declaring an emergency."

S. B. No. 37, A bill to be entitled "An Act to prevent untrue and damaging statements in reference to banks, banking institutions, trust companies, surety companies, guaranty companies, title insurance companies or other financial institutions; providing the nec-

essary penalties to accomplish such purpose, and declaring an emergency."

S. B. No. 77, A bill to be entitled "An Act authorizing cities and towns to establish and maintain municipal bands, and to appropriate funds to the municipality for that purpose; providing for referendum elections by the qualified property taxpaying voters of cities and towns to determine whether or not such band shall be established and maintained; authorizing the governing body of cities and towns to pass ordinances and resolutions and enter into contracts for the organization, maintenance, operation and control of such bands; exempting charters already existing from the provisions hereof; repealing laws in conflict herewith, and declaring an emergency."

S. B. No. 149, A bill to be entitled "An Act to create 101st Judicial District of Texas; to name the counties composing said district; to prescribe the time of holding term of the district court in said district; to prescribe the jurisdiction of said court and giving authority to the judges of the 101st Judicial District of Texas."

S. B. No. 163, A bill to be entitled "An Act to create the Blackwell Independent School District in Nolan County, Texas, including therein the present Blackwell Common School District No. 23 in Nolan County; providing a board of trustees therefor, vesting said independent school district board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; validating for Blackwell Independent School District current indebtedness and taxes of the said Common School District No. 23, and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law, and declaring an emergency."

S. B. No. 167, A bill to be entitled "An Act creating the Matagorda Independent School District in Matagorda County, Texas."

S. B. No. 168, A bill to be entitled "An Act to repeal Chapter 134 of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being an Act to create a more efficient road law for Walker County, Texas, etc."

S. B. No. 179, A bill to be entitled "An Act to create the White Pond

Common County Line School District in Fisher and Jones Counties, Texas, etc."

H. B. No. 42, A bill to be entitled "An Act to regulate and more definitely prescribe the matter of handling trustees around the penitentiary farms and repeal all laws and parts of laws in conflict with this Act."

H. B. No. 58, A bill to be entitled "An Act amending Chapter 75 of the General Laws of the Regular Session of the Thirty-eighth Legislature, relative to the registration of motor vehicles, tractors, trailers, semi-trailers and motorcycles; making proper disposition of funds derived from registration fees of such vehicles for road purposes; prescribing the amount that shall go to the county road and bridge fund and the amount that shall go to the State Highway fund, and declaring an emergency."

H. B. No. 75, A bill to be entitled "An Act amending Chapter 5 of the General Laws of the Third Called Session of the Thirty-eighth Legislature, relative to occupation taxes on sales of gasoline so as to increase the amount of said occupation tax now existing, and declaring an emergency."

H. B. No. 187, A bill to be entitled "An Act creating and incorporating the Comfort Independent County Line School District lying in the counties of Kendall and Kerr in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said independent district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Comfort Line District be invalidated, and declaring an emergency."

H. B. No. 195, A bill to be entitled "An Act creating and incorporating the Center Independent School District in Shelby County, Texas, including the present Center Independent School District of said county; providing a board of trustees and vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the school district shall continue to act as such until their successors are elected, as provided herein; divesting the city of Center of the control

of the public school district, as created by this Act, and declaring an emergency."

H. B. No. 236, A bill to be entitled "An Act to repeal Chapter 134, of the Local and Special Laws of the Regular Session of the Thirty-third Legislature of the State of Texas, being 'An Act to create a more efficient road law for Walker County, Texas,' etc., as amended by Chapter 6 of the Special Laws of the First Called Session of the Thirty-fourth Legislature of the State of Texas, and as further amended by Chapter 32 of the Special Laws of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, to place Walker County under the operation of the General Road Laws of the State of Texas, and providing that nothing in this Act shall affect in any wise road bonds heretofore issued by said Walker County or any subdivision thereof, or impair any existing contract executed or entered into by the commissioners' court of said Walker County pursuant to the Special Road Laws hereby repealed, and declaring an emergency."

H. B. No. 250, A bill to be entitled "An Act to amend Article 384 of the Penal Code of the State of Texas, enlarging the exceptions therein stated, etc."

H. B. No. 255, A bill to be entitled "An Act to repeal Chapter 7 of the Local and Special Laws of the Third Called Session of the Thirty-fifth Legislature of the State of Texas, being an Act creating a more efficient road system for Madison County; providing that nothing herein shall impair or affect in any wise road bonds heretofore issued by said Madison County, etc."

H. B. No. 262, A bill to be entitled "An Act to create the Timpson Independent School District in Shelby County, Texas; to provide for the election of trustees for the raising of revenue; issuing bonds, maintaining public free schools; declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore levied; providing for extension of boundaries, and declaring an emergency."

H. B. No. 270, A bill to be entitled "An Act creating and incorporating the Melvin Independent County Line School District lying in the counties of McCulloch and Concho in the State of Texas; defining the boundaries thereof; providing for a board of trustees thereof; placing said inde-

pendent district under the control of the General Laws governing independent districts; providing that no outstanding indebtedness of the Melvin County Line District be invalidated, and declaring an emergency."

H. B. No. 277, A bill to be entitled "An Act to provide for the issuance of oil and gas leases on University land and continuing in force all other laws relating to the issuance of oil and gas permits and development of oil and gas on University lands, except such laws and parts of laws as may be in conflict with this Act, and declaring an emergency."

H. B. No. 283, A bill to be entitled "An Act creating and incorporating the Cable Independent School District in Hockley County."

H. B. No. 294, A bill to be entitled "An Act changing the time of holding the terms of the district court in the One Hundredth Judicial District, and providing that all process and writs heretofore issued and all recognizances and bonds heretofore made and executed and returned to existing terms of district court in the counties composing said district together with jurors heretofore selected are valid and returnable to the first term of such court after this Act takes effect, and providing for the continuation of the existing district courts in said counties in session when this act takes effect to the end of their terms, repealing all conflicting laws, and declaring an emergency."

H. B. No. 309, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of McLennan County, Texas; providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 317, A bill to be entitled "An Act creating and incorporating the Five-mile Independent School District in Dawson County, Texas, out of territory now composing Common School District, etc."

H. B. No. 329, A bill to be entitled "An Act repealing Chapter 8 of the General Laws of the Fourth Called Session of the Thirty-sixth Legislature, and declaring an emergency."

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Grandview Independent School District, in Dawson County, Texas,

out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12, vesting title to property of said Common School District No. 12, in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

S. B. No. 3. A bill to be entitled "An Act declaring all wild animals, wild birds and wild fowls to be the property of the people of this State; to preserve, propagate, distribute, and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses, and prescribing penalties for the violations thereof, providing for the issuance of hunting licenses; providing for the appointment of deputy game, fish and oyster commissioners; prescribing their duties and compensations; making provisions for the creation of a special game fund, and appropriating the same for the purpose of carrying out the provisions of this Act; repealing certain laws, and all laws, general and special, in conflict herewith, and declaring an emergency."

With House substitute.

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Senate Bill No. 3—Conference Committee on.

Senator Wood called up S. B. No. 3, with House amendments, and moved that the Senate refuse to concur in the House amendments and request the appointment of a conference committee.

Senator Fairchild moved to table the motion to non-concur, which motion to table was lost.

Senators Murphy and Fairchild

called for the reading of the amendment in full, the amendment being an entire new bill (the amendments are contained in House Journal of the 24th day).

The motion to non-concur in the House amendments and request a conference committee was adopted, by the following vote:

Yeas—19.

| | |
|------------------|-----------|
| Bailey. | Price. |
| Berkeley. | Real. |
| Bledsoe. | Reid. |
| Davis. | Russek. |
| Hardin of Erath. | Strong. |
| Lewis. | Triplett. |
| Moore of Hunt. | Wirtz. |
| Murphy. | Wood. |
| Parnell. | Woodward. |
| Parr. | |

Nays—4.

| | |
|------------|-----------------|
| Bowers. | Moore of Cooke. |
| Fairchild. | Pollard. |

Present—Not Voting.

Floyd.

Absent.

Hardin of Kaufman Ward.
Holbrook.

Absent—Excused.

| | |
|---------|---------|
| Miller. | Stuart. |
| Smith. | Witt. |

House Bill No. 218.

Action recurred on H. B. No. 218, the question being on the pending amendment, by Senator Bowers.

Pending discussion of the bill Senator Murphy moved that the further consideration of the bill be postponed until tomorrow immediately following the noon recess.

The motion was adopted.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 162, A bill to be entitled "An Act to create the Hobbs Independent School District in Fisher County, Texas, including therein the present Hobbs Common Consolidated

District No. 18 in Fisher County; providing a board of trustees therefor; vesting said independent school district board of trustees with all the rights, powers, privileges and duties of independent districts incorporated under the General Laws of Texas; validating bonds, indebtedness, contracts, and tax levies of said district No. 18, and making the same valid obligations and contracts of the said Hobbs Independent District; and providing for a board of trustees to serve until the time for the next election of school trustees as provided by General Law, and declaring an emergency."

S. B. No. 216, A bill to be entitled "An Act to amend Chapter 28, Special Laws of the Thirty-second Legislature, Regular Session, being entitled 'An Act creating the Oak Alla Independent School District in Burnet County, Texas, defining its metes and bounds; providing for a board of trustees therefor; vesting it with the rights and duties of districts incorporated for school purposes only under the General Laws, and declaring an emergency,' by amending Section 4 of the said Act so that the same shall hereafter read as herein set out, and declaring an emergency."

S. B. No. 227, "Creating the Briggs Independent School District in Burnet County."

Respectfully submitted,

C. L. PHINEY,

Chief Clerk, House of Representatives.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 168.

H. B. No. 120.

H. B. No. 108.

H. C. R. No. 13.

Adjournment.

On motion of Senator Wirtz the Senate, at 5 o'clock p. m., adjourned until tomorrow morning at 10 o'clock.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

S. B. No. 193, A bill to be entitled "An Act defining the authority of the Board of Control in reference to the State Capitol building and the Land Office building situated in the City of Austin, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with committee amendments, as follows:

Amend S. B. No. 193 by adding at the end of Section 1 the following: "Provided, however, that the fourth floor of the State Office building, or so much thereof as may be necessary, is hereby set apart for the office of the General Land Office, and provided, further, that in case the Board of Control should ever desire to use any part of said floor for any other office or department of the State Government, that the portion to be so used shall be partitioned off so that the General Land Office will be entirely separate and apart and to itself."

Amend the caption of S. B. No. 193 by striking out the word "Land" and inserting in lieu thereof the word "State."

Amend S. B. No. 193 by striking out of Section 1 the word "Land" wherever it appears and inserting in lieu thereof the word "State."

WOOD, Vice-Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Buildings and Grounds, to whom was referred

S. B. No. 275, A bill to be entitled "An Act to amend Title 113, Chapter 1, Revised Statutes 1911, by adding thereto Article 6394 1-2, providing that in constructing, remodeling or improving public buildings, where the amount involved exceeds \$500.00 to be done by competitive bidding

and contract, authorizing injunction proceedings, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WOOD, Vice-Chairman.

Committee Room,

Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 288.

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

HARDIN of Kaufman,
Vice-Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 52, A bill to be entitled "An Act to amend Article 788, of the Code of Criminal Procedure, by repealing Subdivision 3 thereof."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 53, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony should not disqualify a witness from testifying."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 188, A bill to be entitled "An Act to provide for children born out of wedlock and to take the name of its father, and to provide for the maintenance and support and providing a penalty for failure thereof, and prescribing rules and regulations, and providing for an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 213, A bill to be entitled "An Act to make it unlawful for a period of time commencing with the passage of this Act and ending November 1, A. D. 1927, for killing, bagging, netting or trapping any wild patridge or wild quail of any variety, in the counties of Ellis, Hill, Hood, Johnson and Somervell; providing the penalty for the violation thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 235, A bill to be entitled "An Act amending Section 4 and 6 of Chapter 78, of the General Laws of the Second Called Session of the Thirty-sixth Legislature, all of said sections relating to intoxicating liquors and to distilled, malt, spiritous, vinous, fermented or alcoholic liquors and alcoholic liquids, compounds and preparations, patent and proprietary medicines or preparations or solutions; providing for better control prohibition and regulation of traffic in intoxicating liquors; prescribing necessary penalties and defining necessary offenses, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 11, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 261, A bill to be entitled "An Act amending Article 726 of the Code of Criminal Procedure of 1911 so as to vest in the trial judge authority to determine whether severance shall be granted in cases where defendants are jointly or severally indicted, and repealing Article 727 of the Code of Criminal Procedure of 1911, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman

Committee Room,

Austin, Texas, Feb. 12, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 278,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

DAVIS, Chairman.

TWENTY-FIFTH DAY.

Senate Chamber,

Austin, Texas,

Friday, February 13, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

| | |
|--------------------|-----------------|
| Bailey. | Holbrook. |
| Berkeley. | Lewis. |
| Bledsoe. | Moore of Cooke. |
| Bowers. | Moore of Hunt. |
| Davis. | Murphy. |
| Fairchild. | Parnell. |
| Floyd. | Parr. |
| Hardin of Erath. | Pollard. |
| Hardin of Kaufman. | Price. |

Real.
Reid.
Russek.
Strong.
Triplett.

Ward.
Wirtz.
Wood.
Woodward.

Absent—Excused.

Miller.
Smith.

Stuart.
Witt.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Berkeley:

S. J. R. No. 10, A joint resolution "Proposing an amendment to the constitution providing for taxation of school lands owned by counties."

Read first time and referred to Committee on Constitutional Amendment.

By Senator Moore of Hunt:

S. B. No. 302, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial district for the purpose of constituting and organizing courts of civil appeals herein; creating the Twelfth Supreme Judicial District of Texas, with Greenville as the site of said court; providing for the appointment and qualification of the judges of said Twelfth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Twelfth Supreme District of Texas, providing an appropriation for the maintenance of said court, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Berkeley:

S. B. No. 303, A bill to be entitled "An Act to provide that owners of public free school land heretofore purchased from the State of Texas, which land may hereafter be forfeited for non-payment of interest as now provided by law, provided said forfeiture was caused by reason of interest accrued or accruing prior to the taking effect of this Act, shall have the right to repurchase said lands or any part thereof at the re-appraised value thereof under the law now governing such sales, and leaving any lien and valid contractual right existing in and to the land so repurchased unimpaired and providing for a revaluation of such land by the Commissioner of the Gen-